

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CD INTELLECTUAL PROPERTY
HOLDINGS LLC,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

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C.A. No. 05-414-JJF

STIPULATION AND ORDER OF VOLUNTARY DISMISSAL

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel and subject to the approval of the Court, that the above entitled action be, and hereby is, dismissed in its entirety, including all claims and counterclaims, respectively, of Plaintiff and Defendant, WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys fees.

ASHBY & GEDDES

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/s/ John G. Day

/s/ John W. Shaw

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Attorneys for Defendant, Amazon.com, Inc.

SO ORDERED this _____ day of _____, 2006.

United States District Judge